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Security Council

Sixty-third year

Provisional

5850th meeting

Tuesday, 11 March 2008, 3 p.m.

New York

President:	Mr. Churkin	(Russian Federation)
Members:	Belgium	Mr. Verbeke
	Burkina Faso	Mr. Kafando
	China	Mr. Wang Guangya
	Costa Rica	Mr. Urbina
	Croatia	Mr. Jurica
	France	Mr. Ripert
	Indonesia	Mr. Natalegawa
	Italy	Mr. Spatafora
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Arias
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Le Luong Minh

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 6 March 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Serbia to the United Nations addressed to the President of the Security Council (S/2008/162)

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08-26760 (E)

The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 6 March 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Serbia to the United Nations addressed to the President of the Security Council (S/2008/162)

The President (*spoke in Russian*): I should like to inform the Council that I have received a letter from the representative of Serbia, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and Rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I wish to extend a warm welcome to the Minister for Foreign Affairs of Serbia, His Excellency Mr. Vuk Jeremić.

At the invitation of the President, Mr. Jeremić (Serbia) took a seat at the Council table.

The President (*spoke in Russian*): The Security Council will now begin consideration of the item on its agenda. The Security Council is meeting in response to the request contained in a letter dated 6 March 2008 from the Chargé d'affaires ad interim of the Permanent Mission of Serbia to the United Nations, document S/2008/162.

I now give the floor to His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

Mr. Jeremić (Serbia): Thank you, Mr. President, for convening this meeting of the Security Council.

Once again, we gather here to discuss troubling developments in Serbia's southern province of Kosovo and Metohija, under the administration of the United Nations since June 1999. And once again we are compelled to discuss the dangerous consequences of the unilateral, illegal and illegitimate declaration of independence by the Kosovo's Provisional Institutions of Self-Government, which took place on 17 February of this year. With that declaration, a direct assault on the innate operating logic of the international system was committed, for Security Council resolution 1244 (1999) places a binding Chapter VII obligation on all Member States to respect the sovereignty and territorial integrity of the Republic of Serbia.

Those 20 or so countries that furthered the secessionist cause of the Kosovo Albanians have contributed to making the international system more unstable, more insecure and more unpredictable. Recognizing the unilateral declaration of Kosovo's independence from Serbia legitimizes the doctrine of imposing solutions to ethnic conflicts. It legitimizes the act of unilateral secession by a provincial or other non-State actor. It transforms the right to self-determination into an avowed right to independence. It legitimizes the forced partition of internationally recognized sovereign States. And it provides any ethnic or religious group with a grievance against its capital with a playbook on how to achieve its ends.

I want to be very clear: we will never recognize the attempt by the authorities in Pristina to unilaterally secede from Serbia. We call upon the countries that have recognized that attempt to reconsider, and we call on those that have not done so to stay the course and to help us continue to defend the international system from being fundamentally undermined.

With a frankness that we owe to those most directly affected by this perilous precedent, but also with an eye to those who could be affected in the time to come, let us ask ourselves the following questions. Have the principles of international relations been advanced by wrenching Kosovo away from a democratically governed country? Will the province of Kosovo, as an entity-in-limbo that cannot acquire the international legitimacy arising out of membership in the United Nations, be able to achieve sustainable prosperity without Belgrade? And have regional stability and cooperation been increased by the perverse choice that our neighbours are being forced to make — a choice between Serbia and Kosovo?

Since 17 February, the situation on the ground has been deteriorating, which has made it more difficult to control. This is not where we should be.

Understandably, the public reaction in Serbia to Pristina's unilateral declaration of independence has been clear and loud. For the vast majority of Serbs, it

has been a dignified reaction. Hundreds of thousands assembled in Belgrade on 21 February to express their sorrow peacefully, and to do so in worship. Young and old, rich and poor, they came from all corners of Serbia to demonstrate their opposition to the forcible partition of their country.

It is tragic that a small proportion of those who gathered in Belgrade on that day turned to violence. The assault on foreign embassies, downtown stores and Government buildings was as unacceptable as it was deplorable. Allow me to express, on behalf of my Government, our unreserved regret to those countries whose embassies were damaged. They have our assurances that all measures have been taken to ensure that something like that will not happen again.

Violence is not the answer — not in Belgrade, not in Mitrovica, not in Pristina. Nowhere in Serbia is violence the answer. But violence has been a reality for too long in our southern province. That which took place under a dictatorship in the 1990s was terrible and should never be minimized.

And yet, I remind this Council that our Serbian collective experience has been marked by the memory of what happened in the period after June 1999. In peacetime, with the United Nations present, hundreds of thousands of Serbs were expelled from Kosovo. Tens of thousands of Serbian homes were torched to the ground. Thousands of Serbs were murdered or are still missing and presumed dead. And more than 150 Serbian Orthodox churches and monasteries were destroyed. The province's Serbs were abandoned to pogroms carefully orchestrated and brutally executed by Kosovo Albanians, who have been rewarded for their violent conduct.

The Republic of Serbia will not accept the imposition of an outcome that fundamentally violates our legitimate national interests. So long as these attempts by some to exclude us continue, we will keep coming back to this body and to all other relevant bodies, and we will employ all legal, diplomatic and political means at our disposal to continue asserting our core sovereign rights.

By the same token, I underline to the Council Serbia's preparedness to move constructively forward. We must overcome the danger of imposing realities that have no legal basis, for such attempts only create defensive, self-preservationist moves that drive us further apart. We must start talking honestly to one another to assess the decisions that have been taken, the mistakes that have been made, the threats that have arisen and the accommodations that must be made.

We must meet and reason together. And we must work in concert to instil the confidence necessary for all the Western Balkans to once again take bold, historic steps towards a common European future. For I believe that none of us can afford any more missed opportunities to build trust, to seek agreement, to consolidate values and to arrive at a just, mutually acceptable solution that will benefit us all.

The alternative to handling this issue with great care and reverence for the United Nations Charter, with great respect for the reputation and legacy of United Nations peacekeeping and with great concern for the credibility of the Secretary-General is simply too bleak to fathom. In short, what we must do is to turn our minds from wondering what will happen next to wondering together about what we can still accomplish.

I would like to emphasize that Serbia wishes no ill to the ethnic Albanians in our southern province. We continue to take seriously their right to obtain substantial self-governance while remaining under a common sovereign roof with Serbia. It is in our vital interest that all of Kosovo's communities prosper — and prosper together — in peace, security and reconciliation as neighbours in a progressive society of hope and forgiveness. That is why Serbia does not intend to impose an embargo, and it is why we have a clear policy of not resorting to the force of arms.

At the same time, we will continue to ensure that the Serbs of Kosovo do not remain relegated to a fearful life of ghettoized isolation, as they have been for the past eight years. We will ensure that their future is based on tangible assurances, rather than on vague promises and unlawful jurisdictions.

Resolution 1244 (1999) must be observed in full. That is the only way to prevent a further deterioration of the situation on the ground. There must be no erosion of the clearly defined mandate of the United Nations Interim Administration Mission in Kosovo (UNMIK) by the Security Council. Therefore, we strongly demand that no further transfer of competencies from UNMIK to any other body take place. That is of vital importance.

Let me assure the Security Council that the Republic of Serbia will continue to comply with resolution 1244 (1999). Unfortunately, others have taken the divisive step of making their own interpretation of the resolution to suit some short-sighted purposes. It is a great pity that some European countries have joined in that dubious exercise, first by recognizing the unilateral declaration of independence by the authorities in Pristina, thereby gravely setting back the region's European prospects, and then by establishing the European Union Rule of Law Mission in Kosovo (EULEX) and the affiliated International Steering Group (ISG) of countries.

Both EULEX and the ISG have set for themselves the goal of assisting in the implementation of the Comprehensive Proposal for the Kosovo Status Settlement — the so-called Ahtisaari proposal — but the Proposal has never been endorsed by the Security Council, which is the only institution endowed with the power to legitimate changes in the nature of the international presence in Kosovo.

It is therefore the basic position of the Republic of Serbia that both EULEX and the ISG operate well outside the parametres set forth by resolution 1244 (1999) and that their activities are strongly inconsistent with the principles of the United Nations Charter and the Helsinki Final Act. Let me be clear: It is not that the European Union is unwelcome in our southern province — for we do welcome, as a matter of principle, any demonstration of Europe's deepening commitment to our country, including Kosovo — but there has to be a clear legal mandate for any such commitment, and that can be achieved only by getting the approval of the Security Council. We must work together to overcome that problem within this very forum.

President Boris Tadić spoke a few days ago of our willingness to sign the Stabilization and Association Agreement with the European Union immediately. Despite our present troubles, I wish to reaffirm that principled position — one which a solid majority of our countrymen share. Our heritage, our culture, our beliefs and our history are profoundly European. Europe has developed into a storehouse of values that creates stability and security in our historically divided continent. It has become the antidote to isolation, protectionism, fear, extremism and war. It brings people together, expands markets, points to a more prosperous tomorrow, solidifies the gains made, and inspires attempts at resolving differences in line with the higher aspirations of humankind, instead of giving in to our basest instincts.

To construct and to integrate, and so to grasp the infinite opportunities that the twenty-first century offers to the bold and to the visionary — that is the kind of Europe to which we are committed and to which we hope to belong. Regrettably, we have come to the chasm. Let us now try to join together in order to build a bridge over it, to look beyond the immediate divide and to secure a future in Europe for the entire western Balkans.

The Republic of Serbia stands ready to be a constructive partner in the achievement of regional peace, stability and reconciliation. We are committed to open dialogue and good-faith negotiations, and we continue to be faithful to the principles of international law. The Republic of Serbia is ready. We are ready to host a series of meetings with UNMIK on a whole host of issues, such as the status of the Kosovo Serb population and that of the Serbian Orthodox Church, the question of customs points, and the status of Kosovo Serb judges and policemen in our southern province, as well as all others.

We have to solve concrete problems, we have to address the real life concerns of the province's most vulnerable, and we have to pay attention to the human cost of our actions. Every day that goes by without working towards some sort of agreement creates unsustainable hopes, irrational fears and dangerous, uncoordinated outcomes on the ground. Let me reiterate Serbia's principled, deeply held position that regional peace and security can be consolidated through dialogue, not imposition; through agreement, not compulsion; and through law, not might.

Tomorrow is the fifth anniversary of the tragic assassination of Serbia's first democratically elected prime minister, Mr. Zoran Djindjic. He was the engine of our democratic success and the visionary of our place in Europe. A month before he was murdered, Mr. Djindjic wrote a series of letters to world leaders on the question of Kosovo's future status in Serbia and Serbia's future status in Europe. He wrote of his vision of a Serbia as proud of its European future as it is proud of its national past. He wrote about the importance of preserving our identity while broadening its scope, and he wrote that "the worst option is for

things to happen in Kosovo without our participation and without our objective responsibility".

Well, the worst option, as Mr. Djindjic called it, has been attempted by people who should have known better. Those outside actors chose to sacrifice regional geostrategic priorities on the altar of the extremist communal aspirations of the Kosovo Albanians, and they chose expediency over statecraft. The international system wobbles precariously as a result, but it can be steadied. By acting together, I believe we can overcome our differences on Kosovo in the weeks and months ahead.

Elections will take place in Serbia in May. The result will be a turning point for my country and for all the western Balkans, for it will be a time of great decision. Real, concrete differences exist in Serbia on economic and social issues and on the crucial issue of Serbia's future in Europe. Each citizen of Serbia will be called on to make a clear and compelling choice, but let me be clear on what the election will not be about. It will not be about Serbia's policy towards its breakaway province of Kosovo and Metohija.

Make no mistake; on that fundamental issue — on the question that concerns the very nature of the identity of the Serbian nation — there is no disagreement in Serbia. My country is strongly united on Kosovo, and we will always remain so. We will continue defending our sovereignty and territorial integrity. We will remain steadfast in our determination to help our brethren overcome their present discontent, and we will build on our unity, forged by Kosovo, to preserve a democratic Serbia that is whole, free and comprehensively engaged with a world community strengthened by the reaffirmation of the legitimacy of the international system. Kosovo shall remain a part of Serbia forever.

Thank you, Sir, for having given me the opportunity to address the Council at a time of great consequence for us all.

The President (*spoke in Russian*): In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 3.30 p.m.